



Arizona Regulatory Board of Physician Assistants

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Janet Napolitano

Governor

Randy Danielsen, Ph.D., P.A.-C.

Chairman

Barry A. Cassidy, Ph.D., P.A.-C.

Executive Director

FINAL MINUTES FOR MEETING Held at 1:00 p.m. on February 25, 2004 9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Randy D. Danielsen, Ph.D., P.A.-C, Chair
Albert Ray Tuttle, P.A.-C, Vice Chair
Michael E. Goodwin, P.A.-C
G. Bradley Klock, D.O.
James Edward Meyer, M.D.
Sigmund Popko
Anna Marie Prassa, Public Member
Joan M. Reynolds, P.A.-C
Peter C. Wagner, D.O.
Barry D. Weiss, M.D., FAAFP

Board Counsel

Christine Cassetta, Assistant Attorney General

Staff

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director
Amanda J. Diehl, M.P.A., CPM, Assistant Director / Licensing & Operations
Barbara Kane, Assistant Director / Investigations & Quality Assurance
Beatriz Garcia Stamps, M.D., M.B.A., Board Medical Director
Gary Oglesby, Chief Information Officer
Tina Speight, Public Affairs Coordinator
Lisa McGrane, Legal and Communications Coordinator

WEDNESDAY, FEBRUARY 25, 2004

CALL TO ORDER

Randy D. Danielsen, Ph.D., P.A.-C., Chair, called the meeting to order at 1:00 p.m.

ROLL CALL

The following Board members were present: Randy D. Danielsen, Ph.D., P.A.-C., Albert Ray Tuttle, P.A.-C., Michael E. Goodwin, P.A.-C., James Edward Meyer, M.D., G. Bradley Klock, D.O., Anna Marie Prassa, Joan M. Reynolds, P.A.-C., Peter C. Wagner, D.O. The following Board members were absent from the meeting: Sigmund Popko and Barry D. Weiss, M.D., FAAFP,

CALL TO THE PUBLIC

No one was present for the Call to the Public.

NON-TIME SPECIFIC ITEMS

Executive Director's Report

Agency Reports

Fiscal Year 2004 Agency Reports - A statistical report of agency activities for the following Divisions is provided for the Board's information: Enforcement, Adjudication, Compliance, Licensing, Public Information and Customer Service.

NON-TIME SPECIFIC ITEMS (continued)

Executive Director's Delegated Authorities – Summary of Action - Actions delegated to and taken by the Executive Director during the period July, 2003 through December, 2003 are reported.

Staff Reports:

Budget Update (through December 31, 2003) – Randi Orchard, Chief Financial Officer, provides a detailed summary of the revenues and expenditures for Fiscal Year 2004. As of December 31, 2003, revenues for the fiscal year totaled \$65,703; expenditures to date equal \$35,922, leaving a balance of \$23,210 to the Medical Board Fund.

Human Resources Update – Cheri Pennington, Director of Human Resources, provides an overview of activities in Human Resources, including the December 29, 2003 implementation of the State's new Human Resource Information System (HRIS). Information on upcoming on-site training opportunities and a review of current personnel actions and current agency staffing were also included in the report.

Information Services Update – Gary Oglesby, Chief Information Officer, provides information on the reorganization of the newly formed Information Services Division and the Staff Investigational Review Committee's (SIRC) move to a web-based format which further enhances the agency's move toward a paperless environment.

Investigations/Quality Assurance & SIRC Update – Barbara Kane, Assistant Director of Investigations and Quality Assurance reports that the focus of the Investigations Division will be continued training of personnel on new workflow processes, case management techniques and document processing. Quality Assurance will focus on continuing to monitor case and document content and will assist the Medical Director in arranging outside medical consultations and the appeal and dismissal processes. The Staff Investigational Review Committee (SIRC) will add a rotating staff medical consultant to its membership to broaden its scope of review.

Legislative Update – Tina Wilcox, Legislative Liaison, provides an update on the progress of House Bill 2006. It is anticipated that the bill's passage in the Senate will be as uneventful as it has been in the House.

Licensing Update – Michelle Semenjuk, Chief of the Licensing Division, reports that the Division is now receiving National Commission on Certification of Physician Assistants (NCCPA) scores on-line and is also often able to verify Physician Assistant (P.A.) licensure in other states, which continues to reduce processing time for P.A. licenses.

Attendance Update – Board members received a report detailing their attendance at Board meetings during calendar 2003.

Executive Director's Scheduled Meetings – This report provided the Board with details of the Executive Director's appointments with non-Agency personnel.

Approval of Minutes

November 19, 2003 Meeting Minutes

MOTION: Anna Marie Prassa moved to accept the November 19, 2003 meeting minutes.

SECONDED: Peter C. Wagner, D.O.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent

MOTION PASSED.

Approval of Minutes

November 25, 2003 Teleconference Meeting Minutes

MOTION: Anna Marie Prassa moved to accept the November 25, 2003 teleconference meeting minutes.

SECONDED: James Edward Meyer, M.D.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent

MOTION PASSED.

NO	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
1.	PA-03-0010A	O.G.	ANNE Y. FERGUSON, P.A.-C	2690	Advisory Letter for failure to see a foreign body on an x-ray.

NON-TIME SPECIFIC ITEMS (CONTINUED)

NO	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
2.	PA-03-0024A	ARBoPA	DANIEL R. ORTIZ, P.A.-C	2043	Advisory Letter for failure to recognize the significance of abnormal laboratory studies and to seek immediate consultation.
3.	PA-03-0034A	ARBoPA	FRANK A. DEMARCO, P.A.-C	1014	Advisory Letter for failure to obtain and submit of completion of required continuing medical education (CME) in a timely fashion.
4.	PA-03-0035A	ARBoPA	CYNTHIA S. JENKINS, P.A.-C	2622	Advisory Letter for failure to obtain and submit completion of required continuing medical education (CME) in a timely fashion.

MOTION: Randy D. Danielsen, Ph.D., P.A.-C., moved to accept Advisory Letters for cases 1 through 4.

SECONDED: James Edward Meyer, M.D.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent

MOTION PASSED.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
5.	PA-03-0002A	M.R.	CONNIE K. BELSKUS, P.A.-C	1926	Dismissed.
6.	PA-03-0016A	K.M.	KEVIN P. MANCHENTON, P.A.-C	2348	Dismissed.
7.	PA-03-0008A	K.T.	PATRICIA S. DAVIS, P.A.-C	1985	Dismissed.
8.	PA-03-0019A	D.S.	KENNETH B. LARSON, P.A.-C	1090	Dismissed.
9.	PA-03-0029A	ARBoPA	WATUS B. COOPER, JR., P.A.-C	1584	Dismissed.
10.	PA-03-0023A	G.Z.	DANIEL L. STOLL, P.A.-C	1478	Dismissed.

Case number 10 was pulled from the block vote for individual consideration. Randy D. Danielsen, Ph.D., P.A.-C., recused himself from this matter.

Peter C. Wagner, D.O., questioned the "Dismissal Explanation to the Complainant" as listed in Investigative Report number 2 (Staff Investigational Review Committee) indicating that it sounded like the medical consultant was telling the complainant his case was going to be dismissed before the Board had an opportunity to review and discuss the case. Christine Cassetta, Board Counsel, explained that the report in question is put together by staff to be used by the Executive Director should he choose to use his delegated authority to dismiss the case.

James Edward Meyer, M.D., questioned why this case was being considered for dismissal rather than an advisory letter. Beatriz Garcia Stamps, M.D., M.B.A., Board Medical Director, indicated that there was no clear cut diagnosis in this case and that the PA had acted appropriately; therefore, PA Stoll met the standard of care in this case and dismissal was recommended by staff.

MOTION: Albert Ray Tuttle, P.A.-C., moved to dismiss this case.

SECONDED: G. Bradley Klock, D.O.

VOTE: 5-yay, 2-nay, 1-abstain/recuse, 2-absent.

MOTION PASSED.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
11.	PA-03-0033A	ARBoPA	KAREN Y. YAZZIE, P.A.-C	2278	Dismissed.

MOTION: Michael E. Goodwin, P.A.-C. moved to dismiss case numbers 5, 6, 7, 8, 9 and 11.

SECONDED: Joan M. Reynolds, P.A.-C.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent

MOTION PASSED.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
12.	PA-03-0030A	ARBoPA	PAUL BORGESSEN, P.A.-C	2289	Dismissed.

NON-TIME SPECIFIC ITEMS (CONTINUED)

Case number 12 was pulled from the block vote for individual consideration.

G. Bradley Klock, D.O., had a question about how long the patient had the cold sore prior to seeing Paul Borgesen, P.A.-C. because the records indicated both six weeks and five days. Rudolf Kirschner, M.D., Board Medical Consultant, stated that patient claimed to have had the cold sore for 5 days. Albert Ray Tuttle, P.A.-C. stated that the patient was a poor historian and could not accurately relate to PA Borgesen when the cold sore developed. Dr. Klock interjected that the length of time the patient had the cold sore is relevant and would determine whether treatment was appropriate. Based on the records reviewed, the patient was inconsistent in reporting when the cold sore first appeared.

MOTION: Albert Ray Tuttle, P.A.-C., moved to dismiss this case.

SECONDED: Michael E. Goodwin, P.A.-C.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent.

MOTION PASSED.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN ASSISTANT		LIC. #	Board Resolution
13.	PA-03-0039A PA-03-0032A	ARBoPA	GARY W. EHLERS, P.A.-C	1402	Decree of Censure for forging prescriptions and using them to obtain opiates for his own use and probation for five years with restriction of DEA Schedule II and Schedule III controlled substances for a minimum of two years.

Peter C. Wagner, D.O., asked if Gary W. Ehlers, P.A.-C, would be subject to drug screening while on probation. Kathleen Muller, Monitored Aftercare Program Coordinator, affirmed that he would be subject to all traditional Monitored After-Care Program (M.A.P.) terms, including drug screens. The Board also questioned PA Ehlers's prescribing abilities. Dr. Sucher stated that, traditionally, the Board does not restrict prescribing practices with these agreements and that has not been a problem. He also indicated that every Board handles this issue differently and there is no model approach. The Board asked if it would appear odd if the Board reported possible criminal acts to the Drug Enforcement Administration, but did not restrict the PA's prescribing rights. Christine Cassetta, Board Counsel, informed the Board that it has a responsibility to refer cases to other agencies if illegal acts have occurred and the referral obligation does not require the impose any particular discipline. Dr. Sucher informed the Board that it is easier to detect substance abuse if a Physician Assistant uses their Drug Enforcement Agency (DEA) prescribing abilities than if they go "underground."

Michael E. Goodwin, P.A.-C, indicated that he was not in favor of allowing PA Ehlers to prescribe Schedule II and Schedule III controlled substances. Anna Marie Prassa recommended a 2 year restriction of these prescribing activities.

MOTION: Albert Ray Tuttle, P.A.-C. moved that the proposed consent agreement be amended to restrict PA Ehlers ability to prescribe Schedule II and III controlled substances for a minimum of 2 years and that upon completion of two years he may petition the M.A.P. Medical Director to have the prescribing restriction lifted. The decision as to whether to lift the restriction will rest with the M.A.P. Medical Director.

SECONDED: Anna Marie Prassa

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy D. Danielsen, Ph.D., P.A.-C., Albert Ray Tuttle, P.A.-C., Michael E. Goodwin, P.A.-C., G. Bradley Klock, D.O., James Edward Meyer, M.D., Anna Marie Prassa, Joan M. Reynolds, P.A.-C., Peter C. Wagner, D.O. The following Board members were absent from the meeting: Sigmund Popko and Barry D. Weiss, M.D., FAAFP.

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2 absent

MOTION PASSED.

SPECIAL PRESENTATION

ASSOCIATION	SUBJECT	SPEAKER
National Commission on Certification of Physician Assistants	Physician Assistant Certification	Lt. Col. Katherine J. Adamson, P.A.-C, MMS, MA

Lt. Col. Katherine J. Adamson, P.A.-C, MMS, MA, provided an overview of the National Commission on Certification of Physician Assistants (NCCPA)'s history, mission and certification process for physician assistants including exam development, question development, continuing medical education auditing, recertification and the appeals process. She also provided Board members with a handout that provides a blueprint of examination content. She answered questions from several Board members regarding whether NCCPA provides remedial help to those not passing the exam (they do not—it would be a conflict of interest to do so); certification of foreign graduates (NCCPA will only certify if the American Regulatory Commission for Physician Assistants accredits the foreign graduate's program), and the future direction of the certifying exam (possible move to specialty examinations).

The Chair thanked Lt. Col. Adamson for her presentation.OTION: James Edward Meyer, M.D. moved that the meeting be adjourned.

SECONDED: Anna Marie Prassa

VOTE: 8-yay, 0-nay, 0-abstain/recuse, 2-absent.

MOTION PASSED.

The meeting was adjourned at 2:08 p.m.

[Seal]

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director